



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/675,887

09/30/2003

Sachin G. Deshpande

SLA1385

6795

50735 7590 12/19/2008

AUSTIN RAPP & HARDMAN
15 WEST SOUTH TEMPLE
SUITE 900
SALT LAKE CITY, UT 84101

EXAMINER

RYAN, PATRICK A

ART UNIT

PAPER NUMBER

2427

MAIL DATE

DELIVERY MODE

12/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,887	Applicant(s) DESHPANDE, SACHIN G.	
	Examiner PATRICK A. RYAN	Art Unit 2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-20,22-33 and 35-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-20,22-33 and 35-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is made in response to Reply to Office Action of July 10, 2008 ("Reply"); filed October 10, 2008. Applicant has amended Claims 1, 20, 31-33, and 35-44; Claims 2, 21, 34, and 45-60 were previously canceled (See Reply of March 26, 2008); and no claims have been added. As amended, Claims 1, 3-20, 22-33, and 35-44 are presented for examination.

2. In Office Action of July 10, 2008 ("Office Action"):

Claims 1, 3-8, 10, 14, 16-20, 22-26, and 28 were rejected under 35 U.S.C 102(b) as being anticipated by Logan, US Patent Application Publication (2002/0120925 A1).

Claim 9, 27, 31-40, 42, and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over Logan, US Patent Application Publication (2002/0120925 A1) in view of Sull et al., US Patent Application Publication ("Sull", 2002/0069218 A1) and in further view of Rutledge ("SMIL 2.0, XML for Web Multimedia", IEEE Internet Computing, Sep-Oct 2001).

Claims 11, 12, 13, 29, 30, and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Logan, US Patent Application Publication (2002/0120925 A1) in view of Sull et al., US Patent Application Publication ("Sull", 2002/0069218 A1).

Claims 15 and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Logan, US Patent Application Publication (2002/0120925 A1); in view of Shu-Ching "A Multimedia Semantic Model for RTSP-Based Multimedia Presentation Systems" IEEE Fourth International Symposium on Multimedia Software Engineering (2002).

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 10, 2008 has been entered.

Miscellaneous

4. Applicant is advised that the Examiner's Art Unit number has changed from 2623 to 2427. All further correspondence should be directed to Art Unit 2427.

Response to Arguments

5. Applicant's arguments, see Reply Pages 10-17, with respect to the rejection(s) of claim(s) 1, 10, and 16 under 35 U.S.C 102(b) as being anticipated by Logan have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Weber, United States Patent (7,284,032 B2).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3-8, 10, 14, 20, 22-26, 28, 31, 33, 35-40, and 42 are rejected under 35 U.S.C 102(e) as being anticipated by Weber, United States Patent (7,284,032 B2).

8. In regards to Claim 1, Weber teaches, in a client computing system (shown in Figs. 1 and 2, and described in Col. 2 Lines 28—Col. 4 Line 5), a method for providing playlist functionality (generally shown in Fig. 5, as described in Col. 5 Line 50—Col. 8 Line 45), comprising:

receiving a video from a server, wherein the video is sent in response to a request by the client, wherein the video is a digital stream sent over a computer network (video transmitted from Data Transmission Source 40 of Fig. 1, as described in Col. 2 Lines 54-59, is received at user system PVR 11, 21, or 31 of Fig. 2, as described in Col. 3 Lines 39-51; with further reference to “network PVR” that records all broadcast shows onto a server and makes them available to subscribers, as disclosed in Col. 8 Lines 12-19);

Art Unit: 2427

displaying the video on a display device, wherein the video is displayed as it arrives from the server (video received at Video Input Unit 201 is sent to Video Output 205 for display to the user, as described in Col. 3 Lines 52-60);

receiving a user designation of a video segment from the video, wherein the video segment is not pre-selected at a remote location, but instead is designated by the user of the client computing system while the video is being played on the display device (user input to define a particular data segment, such as a desired portion of a television program, as described in Col. 5 Lines 59-67 and shown in Step 501 of Fig. 5); and

adding the video segment to a playlist (user defined segments are added to a “highlight guide”, as described in Col. 6 Lines 6-11; with further reference to the example highlight guide of Fig. 3, as described in Col. 4 Line 15—Col. 5 Line 11; and Step 502 of Fig. 5, as described in Col. 6 Lines 6-11).

9. In regards to Claim 3, Weber teaches the method of Claim 1 wherein the video is stored on the client side (Non-Volatile Storage Unit 203, of client PVR 11, 21, 31, receives and stores the digital data provided from the Encoder 202, as described in Col. 3 Line 52—Col. 4 Line 5; with further reference to Col. 8 Lines 1-19).

10. In regards to Claim 4, Weber teaches the method of Claim 1 wherein the video is available remotely via file sharing (“user systems collectively represent a peer-to-peer network” where segments “may be shared with other user within the network”, as disclosed in Col. 2 Lines 38-43; with further reference to Col. 8 Lines 1-19).

Art Unit: 2427

11. In regards to Claim 5, Weber teaches the method of Claim 1 wherein the playlist is stored on the client (Highlight Guide of Fig. 3 described the segments that have been defined by the user and recorded by a PVR 11, 21, 31, as described in Col. 4 Lines 15-39).

12. In regards to Claim 6, Weber teaches the method of Claim 1 wherein the playlist is stored on the server (“highlight guide may correspond to a particular peer group”, where the highlight guide is stored on Server 50, as discussed in Col. 4 Lines 46-57).

13. In regards to Claim 7, Weber teaches the method of Claim 1 further comprising receiving user input to determine whether the video segment is added to a new playlist or to an existing playlist (multiple highlight guides can be created by the user and the user can define which segments to include in which highlight guides, as described in Col. 4 Lines 40-46).

14. In regards to Claim 8, Weber teaches the method of Claim 1 wherein adding the video segment to the playlist comprises: generating display instructions for displaying the video segment (Highlight Entry Modification of Fig. 4, where the user can modify various aspects of the segment such as description or name, date and time of original show, a description of the modification, and alter the segment itself, as described in Col. 5 Lines 12-49; with further reference to Step 503 of Fig. 5, as described in Col. 6 Lines 12-50), and adding the display instructions to the playlist (segments modified using the interface of Fig. 4 correspond to the segments of Fig. 3, as described in Col. 4 Line 58—Col.5 Line 30).

Art Unit: 2427

15. In regards to Claim 10, Weber teaches the method of Claim 1 wherein receiving the user designation of the video segment comprises: receiving a first user indication of a beginning portion of the video segment, wherein the first user indication is received when the beginning portion is played on the display device; and receiving a second user indication of an ending portion of the video segment, wherein the second user indication is received when the ending portion is played on the display device (user defines a segment by providing inputs to the PVR 11, 21, 31 specifying the starting point and the ending point of the segment, as described in Col. 5 Lines 60-67; with further reference to Col. 3 Line 61—Col. 4 Line 5).

16. In regards to Claim 14, Weber teaches the method of Claim 1 further comprising playing the video segment in response to a user request (Non-Volatile Storage Unit 204 is used to facilitate data playback on Displays 12, 22, 33 of Fig. 1, as described in Col. 3 Lines 52-60; with further reference to network PVR, as described in Col. 8 Lines 1-19).

17. In regards to Claim 20, Weber teaches a client computing system that is configured to provide playlist functionality (shown in Figs. 1 and 2, and described in Col. 2 Lines 28—Col. 4 Line 5), comprising:

a stream reception component configured to receive a video from a server, wherein the video is sent in response to a request by the client, wherein the video is a digital stream sent over a computer network (Video Input 201 of Fig. 2, as described in Col. 3 Lines 39-51; with further reference to Network Interface 208 and “network PVR”

Art Unit: 2427

that records all broadcast shows onto a server and makes them available to subscribers, as disclosed in Col. 8 Lines 12-19);

a stream display component configured to display the video on a display device, wherein the video is displayed as it arrives from the server (Video Output 205 of Fig. 2 in conjunction with Display 12, 22, 32 of Fig. 1, as described in Col. 52-60);

a segment designation component configured to receive a user designation of a video segment from the video (“user input terminal”, as described in Col. 3 Lines 61-65) wherein the video segment is not pre-selected at a remote location, but instead is designated by the user of the client computing system while the video is being played on the display device (user input to define a particular data segment, such as a desired portion of a television program, as described in Col. 5 Lines 59-67 and shown in Step 501 of Fig. 5); and

a playlist management component configured to add the video segment to the playlist (CPU 206, as described in Col. 3 Line 61—Col. 4 Line 5; with further reference to user defined segments added to “highlight guide”, as described in Col. 6 Lines 6-11 and the example highlight guide of Fig. 3, as described in Col. 4 Line 15—Col. 5 Line 11; and Step 502 of Fig. 5, as described in Col. 6 Lines 6-11).

18. The limitations of Claim 22 have been addressed with reference to Claim 3.
19. The limitations of Claim 23 have been addressed with reference to Claim 4.
20. The limitations of Claim 24 have been addressed with reference to Claim 5.
21. The limitations of Claim 25 have been addressed with reference to Claim 6.
22. The limitations of Claim 26 have been addressed with reference to Claim 7.

Art Unit: 2427

23. The limitations of Claim 28 have been addressed with reference to Claim 10.

24. In regards to Claim 31 Weber teaches a computer-readable medium comprising executable instructions (Memory 207 of Fig. 2 storing operating system data, file management data, and application program data, as described in Col. 3 Line 65—Col. 4 Line 5) for

receiving a video from a server, wherein the video is sent in response to a request by the client, wherein the video is a digital stream sent over a communications network (video transmitted from Data Transmission Source 40 of Fig. 1, as described in Col. 2 Lines 54-59, is received at user system PVR 11, 21, or 31 of Fig. 2, as described in Col. 3 Lines 39-51; with further reference to “network PVR” that records all broadcast shows onto a server and makes them available to subscribers, as disclosed in Col. 8 Lines 12-19);

displaying the video on a display device, wherein the video is displayed as it arrives from the server (video received at Video Input Unit 201 is sent to Video Output 205 for display to the user, as described in Col. 3 Lines 52-60);

receiving a user designation of a video segment from the video (user input to define a particular data segment, such as a desired portion of a television program, as described in Col. 5 Lines 59-67 and shown in Step 501 of Fig. 5); and

adding the video segment to a playlist (user defined segments are added to a “highlight guide”, as described in Col. 6 Lines 6-11; with further reference to the

Art Unit: 2427

example highlight guide of Fig. 3, as described in Col. 4 Line 15—Col. 5 Line 11; and Step 502 of Fig. 5, as described in Col. 6 Lines 6-11).

- 25. The limitations of Claim 33 have been addressed with reference to Claim 8.
- 26. The limitations of Claim 35 have been addressed with reference to Claim 3.
- 27. The limitations of Claim 36 have been addressed with reference to Claim 4.
- 28. The limitations of Claim 37 have been addressed with reference to Claim 5.
- 29. The limitations of Claim 38 have been addressed with reference to Claim 6.
- 30. The limitations of Claim 39 have been addressed with reference to Claim 7.
- 31. The limitations of Claim 40 have been addressed with reference to Claim 10.
- 32. The limitations of Claim 42 have been addressed with reference to Claim 14.

Claim Rejections - 35 USC § 103

33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. Claim 9, 27, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Rutledge ("SMIL 2.0, XML for Web Multimedia", IEEE Internet Computing, Sep-Oct 2001).

35. In regards to Claim 9, Weber teaches method of creating a playlist (as addressed in Claim 1) and further teaches that the information associated with each data segment

Art Unit: 2427

is in the form of metadata and that information associated with each data segment can define parameters such as program identification and program/segment start or end time. In addition Weber discloses that this information can be encoded using extended mark-up language (XML), as described in Col. 6 Line 64—Col. 7 Line 8. However, Weber does not teach wherein the playlist is created using Synchronized Multimedia Integration Language (SMIL).

It is well known in the art that SMIL markup language is based in and built upon the XML markup language, and both languages can be used to create multimedia presentations. Rutledge's article "SMIL 2.0, XML for Web Multimedia", published in IEEE Internet Computing discloses the benefits of SMIL in comparison to XML:

"SMIL's foremost contribution to Web formats is its sense of timing. Without SMIL, XML-defined Web presentations are static: Users can move displays using the scroll bar and switch between them using hyperlinks, but each presentation is itself unchanging. With SMIL, XML presentations change over time, with or without user interaction. This applies to more than just SMIL presentations; developers have added SMIL timing constructs to other XML-based formats as well." (as found in the **Timing** section Pages 79-81)

In view of Rutledge's article, it would also have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of creating an XML based playlist, as taught by Weber, to use the SMIL markup language because of the increased versatility and dynamic display properties available.

36. The limitations of Claim 27 have been addressed with reference to the system of Claim 20 and the method Claim 9.

37. The limitations of Claim 32 have been addressed with reference to the computer-readable medium of Claim 31 and the method Claim 9.

38. Claims 11, 12, 13, 29, 30, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Sull et al., US Patent Application Publication (2002/0069218 A1), hereinafter "Sull".

39. In regards to Claims 11, Logan teaches method of creating a playlist comprising a user's indication of the beginning portion and the ending portion of a video segment where the indication is received when each portion is played (user defines a segment by providing inputs to the PVR 11, 21, 31 specifying the starting point and the ending point of the segment, as described in Col. 5 Lines 60-67; with further reference to Col. 3 Line 61—Col. 4 Line 5), but does not teach a method of receiving a first user indication of the beginning portion of a video segment after the beginning portion is displayed.

In a similar field of invention, Sull teaches a method of rewinding an interrupted multimedia broadcast using a scene change detection algorithm (shown in Figure 57, as described in Paragraphs [0304-0309]). Sull's method retains a list of scene change frames (5610, 5612, 5618, 5620, and 5622 of Figure 56, as described in Paragraph [0302]) as well as information regarding the termination or marked position (5628 of Figure 56, as described in Paragraph [0302]). The bookmarking of a desired media segment is performed in Steps 5712 and 5716 of Figure 57, wherein the termination

Art Unit: 2427

point or interruption point is the first bookmark created by the user and the second bookmark selected by the user is from one of the scene change frames (the starting portion of the desired video segment).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Weber's playlist method with the method of rewinding an interrupted multimedia broadcast as disclosed by Sull because a user watching a multimedia broadcast can potentially be interrupted multiple times throughout the program and may require a review of the events prior to the interruption in order to obtain a thorough understating of the events leading up to the interruption.

40. In regards to Claim 12 and 13, Weber teaches the of creating a playlist that consists of video segments, but does not teach receiving the first user indication (from Claim 11) further comprises displaying a navigation video strip on the display device, wherein the navigation video strip comprises a plurality of frames from the video; and receiving a user selection of a frame from the plurality of frames, wherein the frame substantially corresponds to the beginning portion of the video segment.

In a similar field of invention, Sull teaches a method of rewinding an interrupted multimedia broadcast using a scene change detection algorithm (shown in Figure 57, as described in Paragraphs [0304-0309]). Sull's method retains a list of scene change frames (5610, 5612, 5618, 5620, and 5622 of Figure 56, as described in Paragraph [0302]). In addition, the user has the ability to select one of the scene change frames that substantially corresponds to the beginning portion of the video segment (block 5716

Art Unit: 2427

of Figure 57, with further reference to the user interface of Figure 9; as described in Paragraphs [0205] and [0206]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of Weber with the method of Sull because a visual interface would be advantageous to the user in order to quickly scan and understand a summary or sequence of events to determine if the program content is desirable enough to watch and/or save for later viewing.

41. The limitations of Claim 29 have been addressed with reference to the system of Claim 20 and the method of Claim 11.

42. The limitations of Claim 30 have been addressed with reference to the system of Claim 20 and the method of Claim 12.

43. The limitations of Claim 41 have been addressed with reference to the computer-readable medium of Claim 31 and the method of Claim 11.

44. Claims 15 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Shu-Ching "A Multimedia Semantic Model for RTSP-Based Multimedia Presentation Systems" IEEE Fourth International Symposium on Multimedia Software Engineering (2002).

Art Unit: 2427

45. In regards to Claim 15, Weber teaches method of creating a playlist that consists of video segments as addressed in Claims 1 and 14, but does not teach this method to be implemented using the Real-time Streaming Protocol (RTSP) in order to play the video segment.

In a similar field of invention, Shu-Ching discloses a set of methods to support "VCR-like" controls on the client side so that the users have the ability to control the playback of a streaming media program using RTSP (Section 3.1, RTSP Action Diagram; see Page 4). In addition, Shun-Ching discloses the benefits of using RTSP over other protocols such as Hypertext Transport Protocol. The benefits of RTSP include: the ability to handle multiple real-time media streams; two way communication between the server and the client; and overall flexibility of the protocol (Section 3.1, RTSP Action Diagram; see Page 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of Weber with the method of Shu-Ching in order to provide the user with a means for controlling a streaming media program using "VCR-like" functions. In addition, the two way communications channel provided by RTSP would allow the user to interact with the server system through the uplink path and therefore would have greater control over the presentation of streaming media.

46. The limitations of Claim 43 have been addressed with reference to the computer-readable medium of Claim 31 and the method of Claim 15.

47. Claims 16, 17, 18, 19, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Logan, US Patent Application Publication (2002/0120925 A1, of Record).

48. In regards to Claim 16, Weber teaches the method of Claim 14, wherein the retrieved video segment is chosen from the playlist (Non-Volatile Storage Unit 204 is used to facilitate data playback on Displays 12, 22, 33 of Fig. 1, as described in Col. 3 Lines 52-60; with further reference to network PVR, as described in Col. 8 Lines 1-19). However, Weber does not teach wherein playing the video segment comprises retrieving at least a portion of the video segment in parallel with playing a previous video segment in the playlist.

In a similar field of invention, Logan teaches a method and system for automatically and manually identifying and designating program segments (Abstract). Logan's method involves the selective storage, organization, and reproduction of broadcast programming through the use of metadata that identifies and describes segments of the broadcast programming (as disclosed in Paragraph [0039]). In addition, Logan teaches the use of a "circular buffer", as part of Storage 143 of Fig. 1, so that "incoming broadcast programming may be concurrently viewed or otherwise processed while it is being recoded in a circular buffer for possible future use" (i.e. playing and retrieving in parallel), as disclosed in Paragraph [0049]. Furthermore, Logan discusses that "content programming is initially stored at 143 in mass storage unit that may also serve as a circular buffer store to enable the user to pause, replay, and

Art Unit: 2427

fast forward within a predetermined duration” (as discloses in Paragraph [0226]; with further reference to Paragraph [0227]).

Both Weber and Logan teach a method and system for designating segments of broadcast programming. Weber teaches the use of Non-Volatile Storage Unit 203 for receiving and storing broadcast data. In addition, Weber teaches the use of a “highlight guide” to create a playlist of user designated broadcast segments. Logan also teaches the use of a storage device (shown as logical storage units 143, 147, 153, and 163) and, in particular, storage unit 143 serving as a circular buffer. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the storage unit of Weber to include the circular buffer for playing and retrieving media programs in parallel, as taught by Logan, in order to create a continuous presentation of media by preprocessing the content using a buffer.

49. In regards to Claim 17, the combination of Weber and Logan teach the method of Claim 16 wherein the amount of the video segment to be retrieved in parallel is determined by the client while creating the playlist (Weber teaches altering the length of a user designated segment, as described in Col. 6 Lines 12-35 and Step 503 of Fig. 5. In addition, Logan teaches user designation of “preferred session length for the playlist” as disclosed in Paragraph [0274]. With further reference to editing playlists based on user preferences, as described in Paragraph [0262], which include allowing a user to “delete or crop particular segments”, as described in Paragraph [0268]).

50. In regards to Claim 18, the combination of Weber and Logan teach the method of Claim 16 wherein the amount of the video segment to be retrieved in parallel is

Art Unit: 2427

determined by the client after requesting information from the server (Weber teaches a user can request video segments from a network PVR, as described in Col. 8 Lines 1-19. In addition, Logan teaches "searchable database... which user may use to select a list of desired programming" as disclosed in Paragraph [0275]) and while creating the playlist (Weber teaches various user commands such as "add pretime" or "reduce post time", as described in Col. 5 Lines 12-49 and shown in Fig. 4. In addition, Logan teaches a user designation of "preferred session length for the playlist" as disclosed in Paragraph [0274]).

51. In regards to Claim 19, the combination of Weber and Logan teach the method of Claim 16 wherein information about the amount of the video segment to be retrieved in parallel is stored in the playlist (Weber teaches user designated modifications to highlight guide using the interface of Fig. 4, as described in Col. 5 Lines 12-49. In addition, Logan teaches "log file" data, which "identifies what, when, and how the user previously played" as described and disclosed in Paragraph [0272]).

52. The limitations of Claim 44 have been addressed with reference to the computer-readable medium of Claim 31 and the method of Claim 16.

Art Unit: 2427

Conclusion

53. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICK A. RYAN whose telephone number is (571)270-5086. The examiner can normally be reached on Mon to Thur, 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. A. R./
Examiner, Art Unit 2427
Friday, December 19, 2008

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427